

DETAILED ACTION

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 38 and 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Khan (5653242).

Khan discloses an apparatus having a chambered base member (34), lever means (42), means for wedge and/or driving (74), and means for lifting (122).

Allowable Subject Matter

3. Claims 1-37 are allowed.

Response to Arguments

4. **Applicant's arguments filed 3/2/08 have been fully considered but they are not persuasive**

5. **Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.**

There is a new rejection of record and new allowed claims and allowable subject matter withdrawn on claims 38-39.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEE D. WILSON whose telephone number is 571-272-4499. The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MONICA CARTER can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ldw

/LEE D WILSON/
Primary Examiner, Art Unit 3727

April 21, 2009